

# EXHIBIT 1



## UNITED STATES DEPARTMENT OF COMMERCE

## United States Patent and Trademark Office

ADDRESS: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:



Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

## Office Action Summary

Application No.

06/538,607

Applicant(s)

TAKASHI ET AL.

Examiner

Alan Faber

Art Unit

2531

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after 3 1/2 (36) MONTHS from the mailing date of this communication.
- The period for reply specified above is less than sixty (60) days, a reply within the statutory time period will comply with the mailing date of this communication.
- If no period for reply is specified above, the standard statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by this Office later than those months after the mailing date of this communication, even if timely filed, may render any claimed patent term adjustment. (See 37 CFR 1.704(b)).

## Status

- 1) ☒ Responsive to communication(s) filed on 8/11/02 15/8/02.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☒ None of:
- 1 ☒ Certified copies of the priority documents have been received.
- 2 ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3 ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-543)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper Note(s) f.
- 4) ☐ Interview Summary (PTO-413) Paper Note(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-162)
- 6) ☐ Other:

Art Unit: 2651

1. The IDS has been considered. Quintana is cited as of interest.
2. The declaration of 08 November 2000.
3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
4. The drawings are objected to because in Figure 2, the phrase "to butter control ckt" is confusing. Correction is required.
5. Serial No. 09/445,217, noted on page 1 of the specification, cannot be located and has not been considered. Applicants should supply a copy of the claims in the pending application or else inform the examiner that there is no conflict between the pending claims. See MPEP 706.03(k), 709.01, 804.03, 822, 2001.06(b).
6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The recitation of elements represents a mere catalog of parts without interconnections or interactions recited.

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Bentley et al.

Bentley et al shows apparatus comprising sync detection 40, block end position calculation 44, data reproduction 18, 24, delay (Fig. 5), and recording and production (col. 6, ll. 23-33, col. 6, ll. 46-50, 65-68, col. 8, ll. 31-55, col. 10, ll. 47-64, col. 11, ll. 1-9).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Faber whose telephone number is (703) 308-4816. The examiner can normally be reached on flextime (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (703) 308-4826. The fax phone numbers for the organization where this application or proceeding is assigned are (703)

Art Unit: 2651

872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



Alan Faber  
Primary Examiner  
Art Unit 2651

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October 25, 2001



# Notice of References Cited

Application/Control No.

09/036,907

Applicant(s)/Patent Under  
Reexamination  
YAKASHI ET AL.

Examiner

Alan Fisher

Art Unit

2851

Page 1 of 1

## U.S. PATENT DOCUMENTS

* A	Document Number Country Code/Number/Kind Code	Date MM/YYYY	Name	Classification	
A	US-5,963,262 B1	11-1994	Bentley et al	360	51
B	US-5,379,161 B1	01-1995	Quilens	360	51
C	US-				
D	US-				
E	US-				
F	US-				
G	US-				
H	US-				
I	US-				
J	US-				
K	US-				
L	US-				
M	US-				

## FOREIGN PATENT DOCUMENTS

* R	Document Number Country Code/Number/Kind Code	Date MM/YYYY	Country	Name	Classification
R					
S					
T					
U					
V					
W					
X					

## NON-PATENT DOCUMENTS

* S	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Page(s)
S	
T	
U	
V	
W	
X	

\* Country of this reference is not being furnished from this check column. (See MPEP § 707.06(a))

Dates in MM/YYYY format are publication dates. Classification may be in US or foreign.



# EXHIBIT 2

Attorney Docket No.: 8074005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of  
Takashi et al  
Examiner: Faber, A.  
Serial No: 09/638,607  
Art unit: 2651  
Filed: August 15, 2000  
For: DATA REPRODUCTION APPARATUS  
-----X

RESPONSE TO OFFICE ACTION

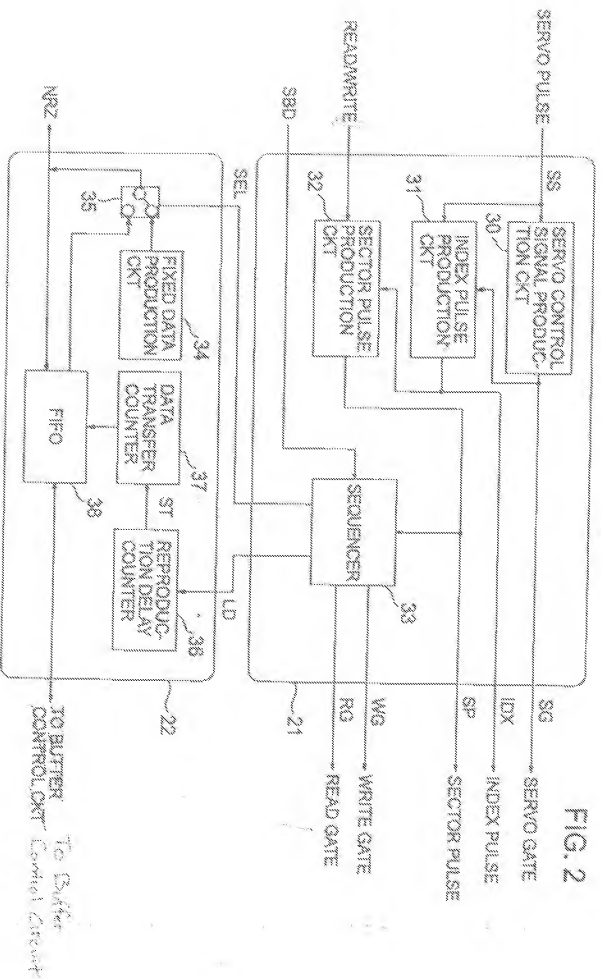
Honorable Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sirs,

AMENDMENT TO DRAWINGS

Applicants submit this amendment to the drawings to accompany the amendment  
attached hereto in response to the Office Action dated October 29, 2001.

FIG. 2



# EXHIBIT 3



## UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT AND TRADEMARK OFFICE  
Patent Law Office and Trademark Office  
Avenue of the Americas, 10th Floor, New York, NY 10013  
www.uspto.gov

APPLICATION NO.	INVENTOR	FIGURE NUMBER	ATTORNEY DOCKET NO.	EXAMINATION NO.
09/011,007	09/11/00	Tsutomu Takashi	800-002	09/1

Sofor & Haroon LLP  
142 Madison Avenue, Suite 1901  
New York, NY 10173

EXAMINER

PAHER, ALAN

APP NO. 09/011,007

19/1

DATE RECEIVED: 09/11/00

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

06/030,697

Applicant(s)

TAKASHI ET AL.

Examiner

Alan Fabin

Art Unit

2651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 C.F.R. 1.136(a). In no event, however, may a reply be timely filed after the 2 MONTH(S) from the mailing date of this communication.
- If the period as reply period shown is less than thirty (30) days, a reply within the statutory maximum of thirty (30) days will be considered timely.
- A 30-day period for reply is provided above. The maximum statutory period will apply and will expire 345.45 HOURS from the mailing date of this communication.
- Failure to reply within the time extended period for reply will, by itself, cause the application to become ABANDONED (37 C.F.R. 1.136).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, shall surface any national patent law enforcement. See 37 C.F.R. 1.136(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 28 January 2002.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1925 O.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 8-12 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 C.F.R. 1.86(a).
- 11) ☒ The proposed drawing correction filed on 28 January 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 118 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some c) ☒ None of:
- 1) ☒ Certified copies of the priority documents have been received.
- 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (for a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 129 and/or 121.

## Attachment(s)

- 1) ☐ Notice of Preference Claim (PTO-802)
- 2) ☐ Notice of Examiner's Patent Drawing Review (PTO-609)
- 3) ☐ Information Disclosure Statement(s) (PTO-1442) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

1. The disclosure is objected to because of the following informalities: The Summary on page 5 of the specification only describes conventional devices.

Appropriate correction is required.

2. Claims 6, 8, 11 are objected to because of the following informalities: Claim 11 needs a period. In claim 8, "sais" should be --said-. In claim 5, "procedures" should be --produces-. Appropriate correction is required.

3. Claims 6, 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(1) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Bentley et al.

The grounds of rejection are of record. See page 3 of the Office Action of 29 October 2001.

6. Applicant's arguments filed 1/29/02 have been fully considered but they are not persuasive. Page 5 of the response contends that Bentley et al does not teach a block end calculation circuit. The examiner disagrees. By definition, an end of block (EOB) timer satisfies this requirement.

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will this statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alan Faber whose telephone number is (703) 308-4616. The examiner can normally be reached on flextime (M-F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on (703) 308-4825. The fax phone numbers for the organization where this application or proceeding is assigned are (703)



Art Unit 2651

872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700



Alan Faber  
Primary Examiner  
Art Unit 2651

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April 8, 2002